



House of Representatives

File No. 917

General Assembly

January Session, 2015

(Reprint of File No. 180)

Substitute House Bill No. 6722
As Amended by House Amendment
Schedule "A"

Approved by the Legislative Commissioner
May 30, 2015

AN ACT CONCERNING CONCUSSIONS IN YOUTH ATHLETICS.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. (NEW) (*Effective July 1, 2015*) (a) For purposes of this
2 section:

3 (1) "Youth athletic activity" means an organized athletic activity
4 involving participants of not less than seven years of age and not more
5 than nineteen years of age, who (A) (i) engage in an organized athletic
6 game or competition against another team, club or entity or in practice
7 or preparation for an organized game or competition against another
8 team, club or entity, or (ii) attend an organized athletic camp or clinic
9 the purpose of which is to train, instruct or prepare such participants
10 to engage in an organized athletic game or competition, and (B) (i) pay
11 a fee to participate in such organized athletic game or competition or
12 attend such camp or clinic, or (ii) whose cost to participate in such
13 athletic game or competition or attend such camp or clinic is
14 sponsored by a municipality, business or nonprofit organization.
15 "Youth athletic activity" does not include any college or university

16 athletic activity, or an athletic activity that is incidental to a nonathletic
17 program or lesson; and

18 (2) "Operator" means any municipality, business or nonprofit
19 organization that conducts, coordinates, organizes or otherwise
20 oversees any youth athletic activity but shall not include any
21 municipality, business or nonprofit organization solely providing
22 access to, or use of, any field, court or other recreational area, whether
23 for compensation or not.

24 (b) Not later than January 1, 2016, and annually thereafter, each
25 operator of a youth athletic activity shall make available a written or
26 electronic statement regarding concussions to each youth athlete and a
27 parent or legal guardian of each youth athlete participating in the
28 youth athletic activity. Such written or electronic statement shall be
29 made available upon registration of each youth athlete and shall be
30 consistent with the most recent information provided by the National
31 Centers for Disease Control and Prevention regarding concussions.
32 Such written or electronic statement shall include educational content
33 addressing, at a minimum: (1) The recognition of signs or symptoms of
34 a concussion, (2) the means of obtaining proper medical treatment for a
35 person suspected of sustaining a concussion, (3) the nature and risks of
36 concussions, including the danger of continuing to engage in youth
37 athletic activity after sustaining a concussion, and (4) the proper
38 procedures for allowing a youth athlete who has sustained a
39 concussion to return to athletic activity.

40 (c) No operator, or designee of such operator, shall be subject to civil
41 liability for failing to make available the written or electronic statement
42 regarding concussions pursuant to subsection (b) of this section.

43 Sec. 2. Subsection (a) of section 10-149b of the general statutes is
44 repealed and the following is substituted in lieu thereof (*Effective July*
45 *1, 2015*):

46 (a) (1) For the school year commencing July 1, 2010, and each school
47 year thereafter, any person who holds or is issued a coaching permit

48 by the State Board of Education and is a coach of intramural or
49 interscholastic athletics shall complete an initial training course
50 regarding concussions, [which are a type of brain injury,] developed or
51 approved pursuant to subdivision (1) of subsection (b) of this section,
52 prior to commencing the coaching assignment for the season of such
53 school athletics.

54 (2) For the school year commencing July 1, 2014, and each school
55 year thereafter, any coach who has completed the initial training
56 course described in subdivision (1) of this subsection shall annually
57 review current and relevant information regarding concussions,
58 prepared or approved pursuant to subdivision (2) of subsection (b) of
59 this section, prior to commencing the coaching assignment for the
60 season of such school athletics. Such annual review shall not be
61 required in any year when such coach is required to complete the
62 refresher course, pursuant to subdivision (3) of this subsection, for
63 reissuance of his or her coaching permit.

64 (3) For the school year commencing July 1, 2015, and each school
65 year thereafter, a coach shall complete a refresher course, developed or
66 approved pursuant to subdivision (3) of subsection (b) of this section,
67 not later than five years after completion of the initial training course,
68 as a condition of the reissuance of a coaching permit to such coach.
69 Such coach shall thereafter retake such refresher course at least once
70 every five years as a condition of the reissuance of a coaching permit to
71 such coach.

This act shall take effect as follows and shall amend the following sections:		
Section 1	July 1, 2015	New section
Sec.	July 1, 2015	10-149b(a)

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note

State Impact: None

Municipal Impact:

Municipalities	Effect	FY 16 \$	FY 17 \$
Various Municipalities	Savings	Potential	Potential
Various Municipalities	STATE MANDATE - Cost	Less than \$5,000	Less than \$5,000

Explanation

The bill requires municipalities, and other operators of athletic activities, to annually provide a statement on concussions (including information such as signs and symptoms, proper medical treatment, etc.) to all youth participating in athletic activities, and their parents or legal guardians.

Municipalities that operate such athletic activities may incur costs as follows: 1) A municipality that provides such information electronically would not incur any costs; 2) A municipality that provides the information in person, upon registration would incur minimal printing costs; 3) A municipality that chooses to print and mail concussion-related information would likely incur costs of less than \$5,000.

The bill also precludes a municipality from liability when it fails to make concussion-related information available. Municipalities that are currently liable in these situations may experience a savings to the extent that it reduces the number of lawsuits such municipalities are party to.

It also specifies that the information provided be consistent with the most recent information provided by the National Centers for Disease Control and Prevention. This has no fiscal impact.

House "A" 1) requires municipalities to provide concussion-related information if they operate sports camps; 2) precludes a municipality from liability if it fails to make such information available; and 3) specifies that information be consistent with the most recent information provided by the National Centers for Disease Control and Prevention. This results in the above identified fiscal impact.

The Out Years

The annualized ongoing fiscal impact identified above would continue into the future subject to inflation.

OLR Bill Analysis**sHB 6722 (as amended by House "A")******AN ACT CONCERNING CONCUSSIONS IN YOUTH ATHLETICS.*****SUMMARY:**

This bill requires youth athletic activity operators, beginning by January 1, 2016, to annually make a written or electronic statement on concussions available to every youth participating in a youth athletic activity and his or her parent or legal guardian.

The operator must make the statement available when the youth registers. The statement must be consistent with current information provided by the National Centers for Disease Control and Prevention (CDC) on concussions and include information on:

1. concussion signs or symptom recognition,
2. how to obtain proper medical treatment for someone suspected of sustaining a concussion,
3. the nature of concussions and their risks, including the danger of continuing to engage in athletic activity after sustaining a concussion, and
4. proper procedures for allowing the athlete who sustained a concussion to return to athletic activity.

Under the bill, no operator or operator's designee is subject to civil liability for failing to make the written or electronic statement regarding concussions available, as required by the bill.

The bill also makes a technical change.

*House Amendment "A" (1) expands the definition of "youth athletic activity" to include athletic activity children participate in while attending camps or clinics, (2) specifies that the statement must be consistent with CDC information and (3) adds the provision exempting operators and designees from civil liability.

EFFECTIVE DATE: July 1, 2015

DEFINITIONS

Youth Athletic Activity

The bill defines "youth athletic activity" as an organized athletic activity involving participants between ages seven and 19 who:

1. (a) engage in an organized athletic game or competition against another team, club, or entity or practice or prepare for an organized game or competition against another team, club, or entity or (b) attend an organized athletic camp or clinic intended to train, instruct, or prepare participants to engage in organized athletic games or competitions and
2. (a) pay a fee to participate in the game or competition or attend the camp or clinic or (b) participate in the game or competition or attend the camp or clinic for free and a municipality, business, or nonprofit organization sponsors their participation cost.

It excludes any college or university athletic activity, or an athletic activity incidental to a nonathletic program or lesson.

Operator

The bill defines "operator" as any municipality, business, or nonprofit organization that conducts, coordinates, organizes, or otherwise oversees any youth athletic activity. It does not include a municipality, business, or nonprofit organization that only provides access to, or use of, a field, court, or other recreational area, either for compensation or not.

COMMITTEE ACTION

Committee on Children

Joint Favorable Substitute

Yea 13 Nay 0 (03/05/2015)

Appropriations Committee

Joint Favorable

Yea 56 Nay 0 (04/29/2015)

Planning and Development Committee

Joint Favorable

Yea 18 Nay 1 (05/12/2015)